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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 MICROSOFT CORPORATION,

11 Plaintiff,

12 v.

13 MOTOROLA, INC., et al.,

14 Defendants.

15 MOTOROLA MOBILITY, INC., et  
al.,

16 Plaintiffs,

17 v.

18 MICROSOFT CORPORATION,

19 Defendant.

CASE NO. C10-1823JLR

MINUTE ORDER

20 The following minute order is made by the direction of the court, the Honorable  
21 James L. Robart:  
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1       The court is in receipt of the parties' respective post-trial briefing regarding the  
2 license agreement between Google Inc. and MPEG LA related to the H.264/AVC patent  
3 pool. (Motorola Br. (Dkt. # 614); Microsoft Br. (Dkt. # 615).) The court is also in  
4 receipt of Microsoft Corporation's motion for summary judgment of invalidity (Dkt.  
5 # 205). To address both the Google-MPEG LA license agreement and Microsoft's  
6 motion for summary judgment of invalidity, the court hereby schedules oral argument for  
7 January 28, 2013, at 1:30 p.m.

8       At argument, with respect to the Google-MPEG LA license agreement, the parties  
9 shall address (1) the proper interpretation of the Google-MPEG LA license agreement  
10 under the law of the State of New York; and (2) the import of the Google-MPEG LA  
11 license agreement as it relates to H.264 standard essential patents held by Motorola  
12 Mobility LLC and General Instrument Corporation, as wholly-owned subsidiaries of  
13 Google. The parties may submit, no later than January 23, 2013, (1) relevant extrinsic  
14 evidence to the Google-MPEG LA license agreement, such as affidavits from MPEG LA  
15 regarding the purpose and intent of the grant-back provision (Section 8.3) of the Google-

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1 MPEG LA agreement; and (2) additional briefing, limited to 12 pages, addressing any  
2 proffered extrinsic evidence.

3 Filed and entered this 31st day of December, 2012.

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5 WILLIAM M. MCCOOL  
6 Clerk of Court

7 s/Mary Duett  
8 Deputy Clerk  
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